

Appl. No. : 09/786,847
Filed : 03/09/2001

REMARKS

Claims 1-11 are pending in this application. Claims 1, 4, and 8 have been amended. New Claim 11 has been added. Support for the amendments is found in the specification and claims as filed. Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Claim Rejections - 35 U.S.C. § 112, second paragraph

Claims 4 and 8 as indefinite regarding where the "same angle" is located. The claims have been amended to recite that the angles between the axis and the surface of each of the three triangles are the same. In view of the amendments, Applicants respectfully request withdrawal of the rejection of Claims 4 and 8.

Claim Rejections - 35 U.S.C. § 102(b)

The Examiner has rejected Claims 1-10 under 35 U.S.C. §102(b) as anticipated by U.S. 5,840,406 ("Nilsen"). "A rejection for anticipation under section 102 requires that each and every limitation of the claimed invention be disclosed in a single prior art reference." See, e.g., *In re Paulsen*, 31 U.S.P.Q.2d 1671 (Fed. Cir. 1994). Nilsen does not disclose every element of Applicants' claims, and therefore cannot be considered as an anticipating reference under 35 U.S.C. § 102(b).

The pending independent claim recites a retroreflective article comprising, *inter alia*, "a continuous arrangement of trigonal linear prisms, wherein each trigonal linear prism is disposed along one of the uncommon edges, each trigonal linear prism having an apex edge, a first base edge, and a second base edge, wherein a thickness of the retroreflective article from the apex edge of the trigonal linear prism to the flat front surface is greater than the thickness of the retroreflective article from the first base edge of the linear trigonal prism to the flat front surface, and wherein the thickness of the retroreflective article from the apex edge of the trigonal linear prism to the flat front surface is greater than the thickness of the retroreflective article from the second base edge of the linear trigonal prism to the flat front surface."

In contrast, Nilsen, as depicted, e.g., in Figure 7, discloses prisms wherein one of the base edges is the same distance from the front plane of the device as is the apex edge. This difference

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is illustrated in Figure 1, which depicts one embodiment of Applicants' invention as claimed, and in Figure 2, which depicts the device of Nilsen.

Figure 1

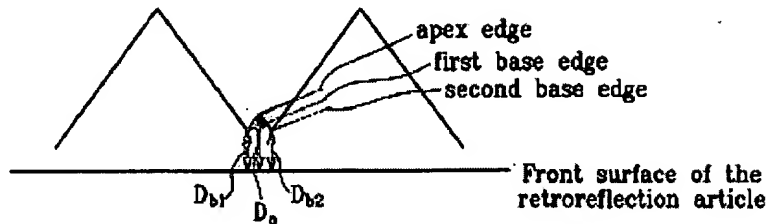
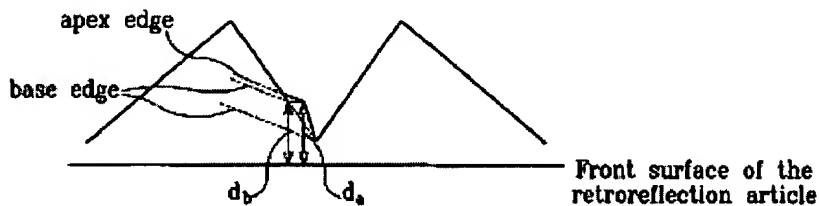


Figure 2



Nilsen does not disclose a prism with the above-recited characteristics of Applicants' invention as presently claimed, and therefore cannot anticipate the claims. Accordingly, Applicants respectfully request that the anticipation rejection be withdrawn.

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CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number below.

Respectfully submitted,

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Dated: 1/27/03

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Deleted text is indicated by [bracketed boldface]. Added text is indicated by **underlined boldface**.

IN THE CLAIMS:

Claims 1, 4, and 8 have been amended as follows:

1. (Twice Amended) A retroreflective article comprising a flat front surface and a structured rear surface, the structured rear surface comprising:

a continuous arrangement of three triangles[**which**], **wherein the three triangles** are mutually perpendicular and [have] **comprise** one common point, **three common edges, and three uncommon edges, wherein each common edge is shared by two triangles, and wherein each uncommon edge belongs to only one triangle** ; and

a [plurality of] **continuous arrangement of** trigonal linear prisms, **wherein each trigonal linear prism is** disposed along [at least] one of the uncommon edges [among the sides of the three triangles], **each trigonal linear prism having an apex edge, a first base edge, and a second base edge, wherein a thickness of the retroreflective article from the apex edge of the trigonal linear prism to the flat front surface is greater than the thickness of the retroreflective article from the first base edge of the linear trigonal prism to the flat front surface, and wherein the thickness of the retroreflective article from the apex edge of the trigonal linear prism to the flat front surface is greater than the thickness of the retroreflective article from the second base edge of the linear trigonal prism to the flat front surface.**

4. (Thrice Amended) The retroreflective article of claim 1 wherein an axis extending from the common point to the front surface of the retroreflective article [while keeping a same angle with the three triangles,] is tilted by -15° [-] **to** 15° to an axis normal to the front surface of the retroreflective article, **wherein angles between the axis and a surface of each of the three triangles are the same.**

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8. (Twice Amended) The retroreflective article of claim 2 wherein an axis extending from the common point to the front surface of the retroreflective article [**while keeping a same angle with the three triangles,**] is tilted by -15° [-] to 15° to an axis normal to the front surface of the retroreflective article, wherein angles between the axis and a surface of each of the three triangles are the same.

New Claim 11 has been added as follows:

11. (New) The retroreflective article of claim 1, wherein the continuous array of linear trigonal prisms comprises two trigonal linear prisms sharing a common base edge.

AMEND
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